

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF VIRTUAL PUBLIC HEARING**

TIME AND PLACE: **Monday, December 20, 2021, @ 4:00 p.m.**
WebEx or Telephone – Instructions will be provided
On the Office of Zoning website by Noon on the
Hearing Date

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 16-02C (H&A DCU JV LLC – PUD Modification of Significance @ Square 665, Lot 27 [Audi Field, 100 Potomac Avenue SW])¹

THIS CASE IS OF INTEREST TO ANC 6D

Oral and Written Testimony

- All who wish to testify in this case are **strongly encouraged** to sign up to do so **at least 24 hours prior to the start of the hearing** on OZ’s website at <https://dcoz.dc.gov/service/sign-testify> – see below: *How to participate as a witness – oral statements.*
- All written comments and/or testimony **must be submitted to the record at least 24 hours prior to the start of the hearing** – see below: *How to participate as a witness – written statements.*

H&A DCU JV LLC (“Applicant”) filed an application on June 28, 2021 requesting the Zoning Commission (“Commission”) approve a modification of significance to a Planned Unit Development (“PUD Modification”) pursuant to Subtitle X, Chapter 3 and Subtitle Z, Sections 300 and 704 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, “Zoning Regulations of 2016,” to which all references are made unless otherwise specified) for a portion of Lot 27 in Square 665 that is known as “Audi Field.”

In Z.C. Order No. 16-02 (“Original Order”), the Commission approved the construction of Audi Field pursuant to a Planned Unit Development (“Original PUD”). Parcel B, the remaining portion of Lot 27 intended to be developed with ancillary mixed-use development, was not included in the boundaries of the Original PUD. Audi Field and Parcel B are separated by a private street known as First Street SW. Audi Field and Parcel B are located in the CG-4 zone.

Pursuant to the PUD Modification application, the Applicant proposes the following modifications to the Original PUD, which will facilitate the development of Parcel B:

- (i) Adjust the boundaries of the Original PUD and Parcel B within Lot 27 to reflect the final footprint of the development of Parcel B, retaining the same total area of Parcel B as set forth in the Original Order;
- (ii) Redesign and enhance First Street SW and the open park and plaza area at the intersection of Potomac Avenue SW and Half Street SW;

¹ This case will be heard concurrently with Z.C. Case No. 16-02D.

- (iii) Clarify that the lot area for purposes of calculating the floor area ratio of Parcel B shall be limited to the area of Parcel B (that is, a land area of 62,147 square feet; and
- (iv) Permit the underground parking garage of Parcel B to extend under the PUD site.

Pursuant to Condition D.2 of the Original Order, the Commission required that the development of Parcel B be approved through the design review process. Related to the PUD Modification, Applicant filed an application for Design Review approval of the ancillary mixed-use development on Parcel B on July 15, 2021 (“Design Review”). Pursuant to the Design Review application, the Applicant proposes to construct a 12-story mixed-use building containing approximately 508,298 square feet of gross floor area with approximately 462 residential units as well as approximately 40,000 square feet of office use and approximately 50,000 square feet of retail, service, eating/drinking, and entertainment/performing arts use, with a floor area ratio of 8.18 and a height of 130 feet. The Design Review application was filed as Z.C. Case No. 16-02D.

The Office of Planning (“OP”) filed a report dated September 24, 2021 recommending the Commission set the PUD Modification down for a public hearing. At a public meeting on October 14, 2021, the Commission set down the PUD Modification and agreed to hear the PUD Modification and Design Review cases at a consolidated public hearing. The Applicant filed its prehearing statement in the PUD Modification case on October 18, 2021. **Therefore, the Commission will hear the PUD Modification together with the Design Review at the public hearing.**

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, Subtitle Z, Chapter 4 as well as the text adopted by the Commission on October 15, 2020 in Z.C. Case No. 20-11, as published in the Notice of Final Rulemaking published in the D.C. Register on October 30, 2020.

How to participate as a witness – oral presentation

Interested persons or representatives of organizations may be heard at the virtual public hearing. All individuals, organizations, or associations wishing to testify in this case are **strongly encouraged to sign up to testify at least 24 hours prior to the start of the hearing** on OZ’s website at <https://dcoz.dc.gov/> or by calling Ron Barron at (202) 727-0789 in order to ensure the success of the new virtual public hearing procedures.

The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The Commission must base its decision on the record before them. Therefore, it is **highly recommended that all written comments and/or testimony be submitted to the record at least 24 hours prior to the start of the hearing.** The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

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| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |

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| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to Subtitle Z § 408.4, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

How to participate as a witness – written statements

Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by e-mail to zcsubmissions@dc.gov. Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Ron Barron at (202) 727-0789 for further assistance.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of Subtitle Z § 404.1.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact OZ at dcoz@dc.gov or at (202) 727-6311.

Except for an affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, or 14 days prior to a scheduled public meeting if seeking advanced party status consideration, a Form 140 – Party Status Application, a copy of which may be downloaded from OZ's website at: <https://app.dcoz.dc.gov/Help/Forms.html>.**

“Great weight” to written report of ANC

Subtitle Z § 406.2 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 406.3, an ANC that wishes to participate in the hearing must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

ANTHONY J. HOOD, ROBERT E. MILLER, PETER G. MAY, PETER A. SHAPIRO, AND JOSEPH IMAMURA, ZONING COMMISSION FOR THE DISTRICT OF

COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

Do you need assistance to participate? If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or Zelalem.Hill@dc.gov five days in advance of the meeting. These services will be provided free of charge.

¿Necesita ayuda para participar? Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Avez-vous besoin d'assistance pour pouvoir participer? Si vous avez besoin d'aménagements spéciaux ou d'une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

참여하시는데 도움이 필요하세요? 특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312 로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

您需要有人帮助参加活动吗? 如果您需要特殊便利设施或语言协助服务(翻译或口译), 请在见面之前提前五天与Zee Hill 联系。电话号码(202) 727-0312, 电子邮件Zelalem.Hill@dc.gov 这些是免费提供的服务。

Quý vị có cần trợ giúp gì để tham gia không? Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

ለሙሳተፍ ዕርዳታ ያስፈልግዎታል? የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጓም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።